IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR.
O R D E R

S.B. CIVIL WRIT PETITION NO.6943/2007.

Amar Singh
Vs.
State and anr.

Date of order :- 6/9/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri V.S. Badhawar for the petitioner.

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BY THE COURT:-

The petitioner has challenged the notice dated 20/8/2007 whereby the meeting of Panchayat Samiti Umrain has been conducted to take motion of no confidence against the Pradhan for consideration on 7/9/2007.

Learned counsel for the petitioner submits that original notice for expressing no confidence against Pradhan was submitted to the C.E.O. On 18/9/2006. But petitioner and other members of the Panchayat Samiti on re-consideration of the matter decided to withdraw the motion and accordingly submitted an application to the CEO on 20/8/2007 for withdrawing the aforesaid motion. Even then, the CEO proceeded to act on the notice earlier given and convene the meeting on 20/8/2007.

Having heard learned counsel for the petitioner, I find that once notice was found to have been signed by requisite number of members of the Panchayat Samiti in view of Section 37 and meeting convened, it would not be withdrawn at the instance of one or ore number of members. There is no allegation that notice was not signed by the requisite members. Besides, this petition has been filed only by one of the members. I therefore do not find any good reason to interfere in the matter.

The petition being devoid of merit, is therefore, dismissed in limine.

(MOHAMMAD RAFIQ), J.

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